

Remarks

Claims 1-38 (as renumbered) are pending in the application and stand rejected. By the above amendment, claims 1, 12, 15 and 21-38 have been amended. Applicants respectfully request reconsideration of the objections and rejections based on the above amendments and following remarks.

Specification Objection

The specification has been amended to correct the typographical error noted on page 2 of the Office Action. Withdrawal of the objection is thus requested.

Claim Objections

Claims 12 and 15 have been amended to address the informalities noted on page 2 of the Office Action. Moreover, claims 22-29 have been amended in view of the renumbering of such claims to 21-28 and to correct the claim dependencies due to the renumbering. Accordingly, withdrawal of the claim objections is requested.

Claim Rejections 35 U.S.C. § 102

The following anticipation rejections were asserted in the Office Action:

(i) Claims 1, 2, 7, 9 and 10 stand rejected as being anticipated by U.S. Patent No. 5,410,749 to Siwiak et al.;

(ii) Claims 1, 11, 12, 22, 23 and 24 stand rejected as being anticipated by U.S. Patent No. 5,903,239 to Takahashi, et. al.;

(iii) Claims 1, 4, 5, 12-20, 23, 25, 26-33 and 34-38 stand rejected as being anticipated by U.S. Patent No. 5,400,039 to Araki, et. al.; and

(iv) Claims 1-3 and 7-10 stand rejected as being anticipated by U.S. Patent No. 6,809,689 to Chen.

Moreover, to the extend understandable, it appears that claims 26-33 and 34-38 are rejected based on a “theory of inherency” in view of Araki.

Applicants respectfully submit that each of the above anticipation rejections is legally deficient to establish a *prima facie* case of anticipation against claims 1, 12, 26 or 34 because none of the cited references discloses or suggests, e.g., an antenna device that is formed having a *conductive via stub as a radiating element*, as essentially claimed in claims 1, 12, 26 and 34.

Applicants respectfully submit that each of the above claim rejections appears to be based on strained, improper interpretation of the initial claim language “*at least one radiating element comprising a conductive via stub...*” Indeed, based on the anticipation rejections, it appears that the Examiner misconstrued this language to be “*a conductive via stub connected to a radiating element*” as opposed to the “*radiating element comprising a conductive via stub*”. In any event, for purposes of clarification, Applicants have amended the claims to recite wherein the conductive via stub is a radiating element.

In this regard, none of the cited references discloses *a conductive via stub that is a radiating element of an antenna*. Indeed, in formulating the anticipation rejections, the Examiner has characterized the “via stubs” of the above cited references as being merely antenna feed elements and connector elements.

Accordingly, claims 1, 12, 26 and 34 are not anticipated by any of the above cited references. Moreover, at the very least, the dependent claims are patentable over the cited references at least by virtue of their dependence from respective base claims 1, 12, 26 or 34. Therefore, withdrawal of the anticipation rejections is requested.

Claim Rejections 35 U.S.C. § 103

Claims 6 and 21 stand rejected under 35 U.S.C 103(a) as being unpatentable over Takahashi in view of the ARRL antenna handbook. Claims 6 and 21 are patentable and non obvious over the combination of Takahashi and ARRL at least by virtue of their dependence from respective base claims 1 and 12 because such combination does *not* teach or suggest *an antenna having a conductive via stub that is a radiating element*. Therefore, withdrawal of the obviousness rejections is requested.

Respectfully submitted,



Frank V. DeRosa

Registration No. 43,584

F. Chau & Associates, LLP
130 Woodbury Road
Woodbury, NY 11797
(516) 692-8881
FAX (516) 692-8889